

Disposition of the Independent Review Panel

Complainant: Denny R. Wood

Date: November 18, 2004

IRP Case: A 2003.380



The Independent Review Panel met on November 18, 2004 for the purpose of publicly reviewing the complaint made by Denny R. Wood against the Miami-Dade Police Department (MDPD) and the department's response to that complaint. The following represents the findings of the Panel:

A. Allegations

Mr. Wood alleges that MDPD:

1. Has no immediate method of advertising stolen vehicles: MDPD does not use technology to immediately dispatch a photograph of a "unique looking stolen vehicle."
2. Did not fill out the vehicle recovery paperwork correctly.

Mr. Wood stated that although his vehicle was stripped of the battery, radiator, engine, transmission, drive shaft, and other parts, the officer who recovered the vehicle only checked "interior damage" on the police report.

3. Has no organization between police substations: the Kendall (jurisdiction where the vehicle was stolen) and Cutler Ridge (jurisdiction where the vehicle was recovered) Stations did not interact to recover Mr. Wood's vehicle and missing vehicle parts.
4. Has no organized scientific methodology for processing recovered stolen vehicles. MDPD called a tow company instead of a crime scene investigator to the scene where Mr. Wood's vehicle was found.
5. Did not follow up on his missing vehicle parts.
6. Does not advise crime victims of their rights under the Florida Crime Victim Compensation Program. Mr. Wood stated that no one in MDPD advised him of this program, which offers financial compensation to victims.

B. Disposition of the Independent Review Panel

Allegation 1: MDPD has no immediate method of advertising stolen vehicles: MDPD does not use technology to immediately dispatch a photograph of a “unique looking stolen vehicle.”

EXONERATED - Captain Bazo stated that MDPD issues a radio-transmitted BOLO within 24 hours of the stolen vehicle report. The MDPD Departmental Manual, Chapter 27-01, Report Writing, states:

The complaint officer will issue a BOLO on vehicles taken within the past hour. The complaint officer will contact the affected dispatcher via the CAD¹, and forward the call to ARU². ARU will notify the Message Center (TWX) so the vehicle information can be placed in the FCIC/NCIC³ after the report is made.⁴

There is no requirement that MDPD use technology to immediately dispatch a photo of a stolen vehicle.

Allegation 2: MDPD did not fill out the vehicle recovery paperwork correctly.

SUSTAINED - A review of the MDPD Department Manual Chapter 27-01, Report Writing, revealed that two documents were not filled out according to procedure:

- Vehicle/Property (Recovery, Supplementary) Report. An officer has five options for the damage code. Officer Serrano chose code option 3: “During Other Offenses – Any damage to a vehicle as a result of a criminal act not covered specifically in another category will be placed in this category.” The correct damage code was 4: “Stripped/Theft from – Any time a vehicle...is damaged due to the removal of parts or for the purposes of entering the conveyance for a theft it will be placed in this category.”⁵
- Vehicle Storage Receipt. Written on the report is a section entitled “Joint Property Inventory Taken by Officers and Tow Driver, “ and a subsection entitled “Enter number of items visibly damaged and/or missing.” The options are wheels, heater, lights, generator, battery, transmission, hood, doors, seats, tires, engine, rear end, windows, fenders and other. Southeast Tow Driver #17 and Officer Serrano identified no items as missing and two items as damaged--seats and other (interior damage).

¹ Computer Assisted Dispatching

² Alternative Response Unit

³ Florida Crime Information Center and National Crime Information Center

⁴ Manual Page 27-01.94

⁵ Manual Page 27-01.71

MDPD Departmental Manual Chapter 19-01 Sec. 4, Towed or Impounded Vehicles, requires that the concerned officer personally inventory the contents of a towed or impounded vehicle (a) "...in the presence of a responsible witness whenever possible...", and (b) "Visually inspect the exterior and interior of the vehicle...and note any damage on the VSR [Vehicle Storage Receipt]. The interior of the vehicle...will be carefully inventoried, including under the seats, in the trunk and all compartments..."⁶

Allegation 3: MDPD has no organization between police substations: Kendall (jurisdiction where the vehicle was stolen) and Cutler Ridge (jurisdiction where the vehicle was recovered) Stations did not interact to recover Mr. Wood's vehicle and missing vehicle parts.

UNFOUNDED – The procedure for inter-station communication regarding stolen and recovered vehicles is through the Message Center and the Vehicle Research Unit.

MDPD Departmental Manual Chapter 27-01, Report Writing, states:

The following regarding motor vehicle theft: "Vehicle information will be transmitted to the Message Center, and the name of the person receiving the information and the time, will be entered in the report."⁷

The following regarding recovered vehicle reporting: "FCIC/NCIC: Place documentation of entry, inquiry, or cancellation in this field. Notify the... Message Center of pertinent information concerning stolen or recovered vehicles."⁸

Chapter 19-01, Impounded Property, states:

"The Vehicle Data Entry Unit shall be notified of the vehicle's recovery immediately following its release or tow."⁹

The Vehicle Research Unit will "forward a copy of the report to the district from which a towed or impounded vehicle is determined to be stolen."¹⁰

⁶ Manual Page 19-01.29

⁷ Manual Page 27-01.94

⁸ Manual Page 27-01.76

⁹ Manual Page 19-01.30

¹⁰ Manual Page 19-01.31

Allegation 4: MDPD has no organized scientific methodology in processing recovered stolen vehicles. MDPD called a tow company instead of a crime scene investigator to the scene where Mr. Wood's vehicle was found.

UNFOUNDED – MDPD uses computer technology, the NCIC and FCIC computer programs. Captain Socarras stated that “Miami-Dade is recognized nationally and internationally for the innovative programs and technology implemented to address auto theft, including the NACO Achievement Award for the Auto Theft Export Program.” The Department has a multi-agency auto theft task force to proactively address auto theft. The fact that a crime scene investigator was not called to process Mr. Wood's vehicle at the location where it was found is not a violation of MDPD policy or procedure.

Allegation 5: MDPD did not follow up on Mr. Wood's missing vehicle parts.

NOT VERIFIED OR REFUTED - Lt. Swalwell testified that the engine in Mr. Wood's vehicle was a rebuilt one he bought from Blake Chevrolet. Mr. Wood stated the engine was new with “numbers on the castings that could be identified.” A detective contacted Blake Chevrolet and found there was no serial number for that engine. The Property Loss Report filled out by Mr. Wood on 8/20/03 did not provide a serial number for the missing engine.

Allegation 6: Does not advise crime victims of their rights under the Florida Crime Victim Compensation Program.

SUSTAINED - MDPD Departmental Manual Chapter 23-01, Victim/Witness Assistance, provides for the distribution of a Victims of Crime Brochure: “Each identified victim of a crime will be provided with a brochure... If any type of police report is written, the officer or investigator shall document that a copy of the brochure was provided to the victim...”¹¹ The program specifically declares eligible the “elderly or disabled adult who suffered a property loss as a result of a crime.”

The Panel found no evidence to support institutional violation of this policy. The Panel also found no evidence that Mr. Wood was provided with information about the Florida Crime Victim Compensation Program.

C. Other Findings

1. The Vehicle Recovery Report written by Officer Serrano halted active pursuit of Mr. Wood's missing auto parts.

¹¹ Manual Page 23-01.2

2. The Economic Crimes Bureau, Auto Theft Section did not receive from the Professional Compliance Bureau (PCB) the information Director Carlos Alvarez said would be provided to them by PCB. Economic Crimes became aware of the referral when Panel staff contacted Lt. Terp and faxed the information to him.

Although Sgt. Al Stier telephonically advised Panel staff that he personally faxed Lt. Terp a copy of Mr. Wood's complaint, Sgt. Stier could not recall the date nor did he have a fax receipt. When IRP staff person Carol Boersma spoke with Lt. Terp regarding Mr. Wood's complaint, Lt. Terp advised he was not aware of Mr. Wood's complaint. In his 4/7/2004, e-mail to the IRP, Captain Socarras stated, "When PCB was contacted today regarding this issue, they admitted to having made a mistake by not sending us the package."

3. Mr. Wood did not cooperate with the Internal Affairs investigation. When contacted telephonically by Sgt. Alois Stier, Mr. Wood responded that he did not want to discuss the complaint and would communicate only through email.
4. Under current MDPD procedures, the officer who recovers the vehicle must *attempt* to contact the victim and the tow company *is required* to contact the victim. There apparently is no follow up when a recovery report documents only minor damage to a stolen vehicle.

D. Recommendations

1. That MDPD use this complaint in training to emphasize the importance of accurately completing official documents and the accurate notification of the Florida Crime Victims Program.
2. That MDPD create a procedure to require that the owner of a towed, stolen vehicle be contacted when the district from which the vehicle was stolen receives a copy of the vehicle recovery report.
3. That MDPD provide information on its web site regarding Operation ID (property engraving).
4. That MDPD issue a case card to all crime victims that includes information on the Florida Crime Victims Program, including the website (<http://myfloridalegal.com/victims>) and the telephone number (1-800-226-6667).
5. That MDPD equip every patrol car with computers capable of transmitting photos.
6. That the IRP provide a link from its website to the MDPD Operation ID.

The Independent Review Panel concluded the complaint on November 18, 2004.

INDEPENDENT REVIEW PANEL
COMMITTEE RECOMMENDATION TO THE PANEL

November 18, 2004

Complaint: A 2003.380

Complainant: Denny R. Wood

Accused Party: Miami-Dade Police Department (MDPD)

Date Complaint Received: 12/29/2003

Materials Reviewed: Grievance Report Form, correspondence, departmental responses, stolen vehicle related documents, relevant MDPD policies and procedures, staff notes and committee notes

Committee: Joseph Lopez, Panel Member; Dr. Eduardo Diaz, Executive Director; Carol Boersma; Executive Assistant to Director, Linda Pierre, Conflict-Resolution Specialist

Meeting Date: May 24, 2004

Present: William Monahan, MDPD Legal Bureau; Lt. Keith Swalwell, Kendall General Investigation Unit; Captain Luis Bazo, Cutler Ridge Station.

Absent without notification: Denny Wood, complainant

Complaint: Denny R. Wood reported his customized 1984 Chevrolet van stolen on July 4th of 2003. Mr. Wood reported that the van was customized with a raised roof, lowered floors for wheelchairs, power sliding doors, wheelchair lift, modified steering wheels and custom hand controls. The van with the customized parts was worth \$6,000.00. When Mr. Wood called the police to make a stolen vehicle report, the Public Service Aide (PSA) declined pictures of his van; the PSA was only interested in basic information.

Mr. Wood stated that the recovery report of his vehicle was done incorrectly because the reporting officer failed to list the items missing from his vehicle. The reporting officer checked "interior damage" instead of listing the stripped parts. Mr. Wood's van was stripped of the following parts: battery, radiator, engine, transmission, drive shaft and other parts.

Mr. Wood alleges that MDPD:

1. Has no immediate method of advertising stolen vehicles: MDPD does not use technology to immediately dispatch a photograph of a “unique looking stolen vehicle.”
2. Did not fill out the vehicle recovery paperwork correctly.

Mr. Wood stated that although his vehicle was stripped of the battery, radiator, engine, transmission, drive shaft, and other parts, the officer who recovered the vehicle only checked “interior damage” on the police report.

3. Has no organization between police substations: the Kendall (jurisdiction where the vehicle was stolen) and Cutler Ridge (jurisdiction where the vehicle was recovered) Stations did not interact to recover Mr. Wood’s vehicle and missing vehicle parts.
4. Has no organized scientific methodology for processing recovered stolen vehicles. MDPD called a tow company instead of a crime scene investigator to the scene where Mr. Wood’s vehicle was found.
5. Did not follow up on his missing vehicle parts.
6. Does not advise crime victims of their rights under the Florida Crime Victim Compensation Program. Mr. Wood stated that no one in MDPD advised him of this program, which offers financial compensation to victims.

Departmental Response: The following is quoted from Director Carlos Alvarez’ February 3, 2004 response:

A review of the written complaint forwarded with your correspondence was reviewed, and does not meet the present criteria for an Internal Affairs investigation. Additionally Sgt. Alois Stier contacted Mr. Wood to clarify points and gather additional information. Mr. Wood advised Sgt. Stier that he did not want to discuss any issues with [MDPD] due to past unpleasant encounters. The written information provided by Mr. Wood will be documented on a contact record and forwarded to Economic Crimes Bureau, Auto Theft Section for review.

When IRP staff person Carol Boersma spoke with Lt. Terp in Economic Crimes Auto Theft on April 1, 2004 regarding Mr. Wood’s complaint, Lt. Terp advised he was not aware of Mr. Wood’s complaint. Ms. Boersma faxed Mr. Wood’s complaint and Director Alvarez’ response to Lt. Terp.

Email Responses from Captain A. Socarras, Special Investigation Division, Economic Crimes Bureau

A. General Auto Theft

The following is quoted from Captain Socarras April 7, 2004 email:

“As to the allegation that the Department has not committed to addressing auto theft the following facts are provided:

“Auto Theft in Miami-Dade County has declined each year for the past 8 years, from 42,500 in 1995 to less than 22,000 in 2003. This is despite a national average showing an increase the past 3 years (NICB¹ statistics). The NICB in their June 10, 2003 Press Release indicates that several communities have noteworthy declines; Miami-Dade is one of these. Miami-Dade is recognized nationally and internationally for the innovative programs and technology implemented to address auto theft, including the NACO² Achievement Award for the Auto Theft Export Program. The Department does have a multi-agency auto theft task force to proactively address auto theft. The Department hosts quarterly auto theft intelligence meetings to facilitate communications between all auto theft investigators in districts and municipalities.”

B. Initial Report and Recovery Process

Captain Socarras met with Captain Bazo of the Cutler Ridge Station and Lieutenant Keith Swalwell of the Kendall District's General Investigations Unit. Captain Socarras stated: “The report was taken; the data was entered into FCIC/NCIC³ through our staff in the Communications Bureau, by the reporting officer. The vehicle was then recovered by the Cutler Ridge Officer and was processed by Crime Scene detectives with negative results.”

C. Auto Theft Task Force Involvement

“The Auto Theft Task Force had no involvement with that case. The case is a district matter and the District representatives for Kendall and Cutler Ridge should speak about their roles in the reporting and subsequent recovery of Denny Wood’s vehicle. As you know, we never received a copy of the package until you [IRP staff person Carol Boersma] called us about the case, and sent it to us. The letter should have mentioned that the review would be conducted by the District command staff where the case originated, and where the vehicle was recovered (Cutler Ridge), not by the Economic Crimes Bureau. Apparently, neither District knew of the complaint either, because the package with Denny Wood’s complaint was inadvertently never sent out from PCB, or lost in transit.”

¹ National Insurance Crime Bureau

² National Association of Counties

³ Florida Crime Information Center and National Crime Information Center

Committee Remarks:

Chairperson Joseph Lopez opened the meeting with a few facts describing Mr. Wood's allegations. Mr. Wood's vehicle was old but updated with custom parts. Mr. Wood's complaint addressed several principals; the responsibilities of: 1) the Kendall Station where the vehicle was stolen, (2) the Cutler Ridge station where the vehicle was recovered, (3) and Economic Crimes Bureau, Auto Theft Section.

The committee discussed the following matters:

1. The current Auto Theft System used in Miami-Dade County.

Captain Bazo: There is an Auto Theft System in place where a radio transmitted BOLO (Be on the Look Out) is issued countywide within 24 hours of the stolen vehicle. Captain Bazo said that, as far as he knew, there was a BOLO for Mr. Wood's vehicle. The radio transmission recordings are kept for 30 days. Crime scene officers are not sent to process every recovered vehicle due to staff limitations. The volume of vehicles stolen and higher priority crimes, such as robbery and murder, prohibit posting pictures of vehicles on the internet or on officers' computers.

Mr. Monahan: Although a photo is not posted, all reports of stolen vehicles are entered into the NCIC and FCIC computer systems, so that the information is available throughout the country.

2. The current Auto Theft Recovery System process.

Captain Bazo: There is the Initial Stolen Vehicle Report and a Recovery Report (Supplementary Report). The initial report contains information provided by the victim on the general description of the car such as: Make/Model, Color and Physical Appearance. If the victim advises that the vehicle has a brand new engine, that information would not be included because it's irrelevant to finding the vehicle. What's relevant is what can be seen. The recovery report contains information generated by the officer who inspects the vehicle when it is recovered. A recovery report usually contains information on the condition of the vehicle, exterior and interior items, and what is missing.

3. The recovery of Mr. Wood's vehicle

Mr. Wood's vehicle was found in a wooded area on July 6, 2003.

Mr. Lopez: The officer who recovered the vehicle may have seen it as an old 1984 van and, because it was stripped, not have realized that it had been customized for accessibility by Mr. Wood. If the recovering officer had listed specifically what was missing from the vehicle before it was towed, Mr. Wood's concern that the tow company may have taken vehicle parts would have been alleviated.

Lt. Swalwell: The officer who recovered the vehicle acknowledged she was not familiar with Mr. Wood's type of vehicle, which has the engine almost between the two front seats. The officer saw the empty space, but did not realize it was the space where the drive train had been. This is an issue that will be addressed in training. The allegation that MDPD did not follow up on his missing vehicle parts is erroneous, however. Mr. Wood provided a detailed list of missing parts. The engine was a rebuilt one he bought from Blake Chevrolet. A detective contacted Blake Chevrolet and found there was no serial number for that engine.

Captain Bazo: It is not standard procedure for the officer filling out the Recovery Report to look under the hood of the vehicle. When the victim looks at the recovered vehicle, the victim identifies specifically what is missing.

4. Information on the Property Engraver Program used to recover stolen goods.

Captain Bazo: MDPD has a Property Engraver Program in place where residents can engrave their personal items free of charge. Engraved property makes it easier to identify stolen items.

5. Crime scene evidence

Lt. Swalwell: Mr. Wood found a hairbrush and a set of keys, which did not belong to him, in his recovered vehicle. He brought those items to the attention of the investigator, who deemed the items to be of no evidentiary value. The latex gloves that were found were sent to the crime lab, however the lab was unable to get a DNA profile from the gloves.

Captain Bazo: The integrity of the scene is important because abandoned cars are often used as trash recipients.

6. Communication with the victim

Ms. Boersma: Is there a way to communicate, "The evidence found in your stolen vehicle is of no evidentiary value," with a distressed victim?

Dr. Diaz: This is a police/community relations issue. Mr. Wood was upset because he felt that the police were ignoring evidence.

Lt. Swalwell: It's difficult to explain "evidentiary value" to a victim, but it is better to be up front and honest with the victim.

7. The role of the Economic Crimes Bureau Auto Theft Section

Captain Bazo: They are the clearinghouse for “trend crimes” on a countywide level, such as auto theft rings. They are independent of the district. Economic Crimes gather and disseminates information to municipalities that might be affected by the same crime trends.

Denny Wood’s Remarks:

Mr. Wood reviewed the audio recording of the committee meeting and provided the IRP with a transcript interspersed with his comments. The following was excerpted from his comments:

1. **Vehicle Recovery:** Mr. Wood claims that when his vehicle was recovered on 7/6/03, the reporting officer (D. Serrano, Cutler Ridge) failed to note the missing vehicle parts. The officer only reported the vehicle having interior damage worth \$300.00. According to Mr. Wood, the following parts were missing from his vehicle: engine, battery, motor, transmission, drive shaft, and a two-year-old wheelchair lift worth over \$3,000.00.
2. **Victim Notification:** Mr. Wood claims that, although Officer Serrano wrote on the Vehicle/Property (vehicle recovery) Report dated 7/6/03 that her “attempt to contact owner was met with negative results,” he did not receive a call from Police Department in regards to his vehicle.
3. **Towing:** Mr. Wood claims that, because MDPD did not notify him, his vehicle was towed and he had to pay over \$250.00 to have his vehicle brought to his home.
4. **Vehicle Report:** Mr. Wood claims that when he contacted Detective Hernandez in the Kendall District on 8/18/2003, regarding his vehicle’s missing parts, the detective was unaware of the missing parts because Officer Serrano only noted “interior damage” on her report. She did not note that the vehicle had been stripped or check off any of the parts listed under “Components Stripped.”
5. **Six-week time lapse:** A detective gave Mr. Wood the Property Loss Report, the form where the victim identifies his specific property loss, on 8/19/03, six weeks after the vehicle was recovered.
6. **Crime Scene investigation:** Captain Bazo stated that MDPD does not have the resources to send a Crime Scene Officer to every recovered vehicle scene. Mr. Wood suggested limiting the crime scene response to stripped vehicles.
7. **Public Records:** Mr. Wood paid for a copy of the recovery report but was sent a copy of the stolen vehicle report.

8. **New Engine:** Lt. Swallwell stated that Mr. Wood had a rebuilt engine with no serial number. According to Mr. Wood, the engine in his vehicle was not rebuilt, it was a new engine with “numbers on the castings that could be identified.”

Committee Findings:

A. Findings regarding the allegations that MDPD:

1. Has no immediate method of advertising stolen vehicles: MDPD does not use technology to immediately dispatch a photograph of a “unique looking stolen vehicle.”

EXONERATED - Captain Bazo stated that MDPD issues a radio-transmitted BOLO within 24 hours of the stolen vehicle report. The MDPD Departmental Manual, Chapter 27-01, Report Writing, states:

The complaint officer will issue a BOLO on vehicles taken within the past hour. The complaint officer will contact the affected dispatcher via the CAD⁴, and forward the call to ARU⁵. ARU will notify the Message Center (TWX) so the vehicle information can be placed in the FCIC/NCIC after the report is made.⁶

There is no requirement that MDPD use technology to immediately dispatch a photo of a stolen vehicle.

2. Did not fill out the vehicle recovery paperwork correctly.

SUSTAINED - A review of the MDPD Department Manual Chapter 27-01, Report Writing, revealed that two documents were not filled out according to procedure:

- Vehicle/Property (Recovery, Supplementary) Report. An officer has five options for the damage code. Officer Serrano chose code option 3: “During Other Offenses – Any damage to a vehicle as a result of a criminal act not covered specifically in another category will be placed in this category.” The correct damage code was 4: “Stripped/Theft From – Any time a vehicle...is damaged due to the removal of parts or for the purposes of entering the conveyance for a theft it will be placed in this category.”⁷

⁴ Computer Assisted Dispatching

⁵ Alternative Response Unit

⁶ Manual Page 27-01.94

⁷ Manual Page 27-01.71

- **Vehicle Storage Receipt.** Written on the report is a section entitled “Joint Property Inventory Taken by Officers and Tow Driver, “ and a subsection entitled “Enter number of items visibly damaged and/or missing.” The options are wheels, heater, lights, generator, battery, transmission, hood, doors, seats, tires, engine, rear end, windows, fenders and other. Southeast Tow Driver #17 and Officer Serrano identified no items as missing and two items as damaged--seats and other (interior damage).

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3. Has no organization between police substations: Kendall (jurisdiction where the vehicle was stolen) and Cutler Ridge (jurisdiction where the vehicle was recovered) Stations did not interact to recover Mr. Wood’s vehicle and missing vehicle parts.

UNFOUNDED – The procedure for inter-station communication regarding stolen and recovered vehicles is through the Message Center and the Vehicle Research Unit.

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Chapter 19-01, Impounded Property, states:

“The Vehicle Data Entry Unit shall be notified of the vehicle’s recovery immediately following its release or tow.”¹¹

The Vehicle Research Unit will “forward a copy of the report to the district from which a towed or impounded vehicle is determined to be stolen.”¹²

4. Has no organized scientific methodology in processing recovered stolen vehicles. MDPD called a tow company instead of a crime scene investigator to the scene where Mr. Wood’s vehicle was found.

UNFOUNDED – MDPD uses computer technology, the NCIC and FCIC computer programs. Captain Socarras stated that “Miami-Dade is recognized nationally and internationally for the innovative programs and technology implemented to address auto theft, including the NACO Achievement Award for the Auto Theft Export Program.” The Department has a multi-agency auto theft task force to proactively address auto theft. The fact that a crime scene investigator was not called to process Mr. Wood’s vehicle at the location where it was found is not a violation of MDPD policy or procedure.

5. Did not follow up on his missing vehicle parts.

NOT VERIFIED OR REFUTED - Lt. Swalwell testified that the engine in Mr. Wood’s vehicle was a rebuilt one he bought from Blake Chevrolet. Mr. Wood stated the engine was new with “numbers on the castings that could be identified.” A detective contacted Blake Chevrolet and found there was no serial number for that engine. The Property Loss Report filled out by Mr. Wood on 8/20/03 did not provide a serial number for the missing engine.

6. Does not advise crime victims of their rights under the Florida Crime Victim Compensation Program.

SUSTAINED - MDPD Departmental Manual Chapter 23-01, Victim/Witness Assistance, provides for the distribution of a Victims of Crime Brochure: “Each identified victim of a crime will be provided with a brochure... If any type of police report is written, the officer or investigator shall document that a copy of the brochure was provided to the victim...”¹³ The program specifically declares eligible the “elderly or disabled adult who suffered a property loss as a result of a crime.”

¹¹ Manual Page 19-01.30

¹² Manual Page 19-01.31

¹³ Manual Page 23-01.2

The committee found no evidence to support institutional violation of this policy. The committee also found no evidence that Mr. Wood was provided with information about the Florida Crime Victim Compensation Program.

B. Other Findings

1. The Vehicle Recovery Report written by Officer Serrano halted active pursuit of Mr. Wood's missing auto parts.
2. The Economic Crimes Bureau, Auto Theft Section did not receive from the Professional Compliance Bureau (PCB) the information Director Carlos Alvarez said would be provided to them by PCB. Economic Crimes became aware of the referral when Panel staff contacted Lt. Terp and faxed the information to him.

Although Sgt. Al Stier telephonically advised Panel staff that he personally faxed Lt. Terp a copy of Mr. Wood's complaint, Sgt. Stier could not recall the date nor did he have a fax receipt. When IRP staff person Carol Boersma spoke with Lt. Terp regarding Mr. Wood's complaint, Lt. Terp advised he was not aware of Mr. Wood's complaint. In his 4/7/2004, e-mail to the IRP, Captain Socarras stated, "When PCB was contacted today regarding this issue, they admitted to having made a mistake by not sending us the package."

3. Mr. Wood did not cooperate with the Internal Affairs investigation. When contacted telephonically by Sgt. Alois Stier, Mr. Wood responded that he did not want to discuss the complaint and would communicate only through email.
4. Under current MDPD procedures, the officer who recovers the vehicle must *attempt* to contact the victim and the tow company *is required* to contact the victim. There apparently is no follow up when a recovery report documents only minor damage to a stolen vehicle.

Committee Recommendations:

1. That MDPD use this complaint in training to emphasize the importance of accurately completing official documents and the accurate notification of the Florida Crime Victims Program.
2. That MDPD create a procedure to require that the owner of a towed, stolen vehicle be contacted when the district from which the vehicle was stolen receives a copy of the vehicle recovery report.
3. That the Panel conclude the complaint.